

**MINUTES OF A REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
APRIL 19, 2017**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, April 19, 2017, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

Roll Call.

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
John Schroeder	Present
John Bell	Present
David Hurst	Present
Earl Schmitt	Present
Kevin Manley	Present
Nancy Eckerle	Present
Dean Vonderheide	Present
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance which is a majority; therefore, there was a quorum for the meeting.

Pledge of Allegiance. Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

JCAC. Mayor Seitz said Jasper Community Arts Commission member Darla Blazey was scheduled to attend this meeting on behalf of the Board but was unable to attend due to another commitment.

Approval of the Minutes.

The following minutes were distributed to and examined by the Council:

1. March 22, 2017 regular common council meeting

A motion was made by Council member Nancy Eckerle and seconded by Council member Kevin Manley to approve the minutes as presented. Motion carried 7-0.

PUBLIC HEARING-ANNEXATION

The public hearing to consider the petition of KAKB LLC to annex 8.505 acres of vacant land for an area known as Brookstone Estates VI was tabled at the March 22, 2017 meeting until this meeting. Mayor Seitz then opened the public hearing and asked Financial Coordinator Sharon Sander to present the fiscal plan for this proposed annexation. Sander then explained the content in the fiscal plan. A copy of the plan was distributed to the council members several days prior to the meeting. This area was 100% petitioned for therefore it is a voluntary annexation.

Mayor Seitz then asked for comments from the public. No comments were received.

Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member John Bell to close the public hearing. Motion carried 7-0 and the public hearing was closed.

**RESOLUTION NO. 2017-4 A RESOLUTION OF THE COMMON
COUNCIL OF THE CITY OF JASPER, INDIANA ADOPTING A**

WRITTEN FISCAL PLAN AND ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN ANNEXED AREA (Brookstone VI)

This resolution adopts a fiscal plan for the annexation area known as Brookstone Estates VI.

A motion was made by Council member John Schroeder and seconded by Council member Earl Schmitt to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member David Hurst and seconded by Council member Dean Vonderheide to read the resolution by title only. Motion carried 7-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member David Hurst to pass and adopt Resolution No. 2017-4. Motion carried 7-0.

ORDINANCE NO. 2017-5 AN ORDINANCE ANNEXING CERTAIN ADJACENT AND CONTIGUOUS TERRITORY INTO THE CORPORATE LIMITS OF THE CITY OF JASPER, INDIANA [Brookstone VI Area]

This ordinance annexes 8.505 acres for an area known as Brookstone Estates VI. First reading of the ordinance was approved on March 22, 2017.

A motion was made by Council member Nancy Eckerle and seconded by Council member John Bell to read the ordinance by title only on second reading. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member John Schroeder and seconded by Council member Earl Schmitt to approve the ordinance on second reading. Motion carried 7-0.

PUBLIC HEARING-WASTEWATER RATES AND CHARGES

Mayor Seitz opened a public hearing concerning Ordinance No. 2017-4 that revises the wastewater utility rates and charges. A notice appeared in the Herald on March 30, 2017, was posted at city hall, and faxed to the news media. The notice was mailed to the wastewater utility customers located outside the city limits on March 28, 2017.

Mayor Seitz then asked for comments from the public. No comments were received.

Thereafter, a motion was made by Council member David Hurst and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 7-0 and the public hearing was closed.

ORDINANCE NO. 2017-4 AN ORDINANCE AMENDING ORDINANCE NO. 2008-10 ENTITLED "AN ORDINANCE FIXING A SCHEDULE OF REVISED RATES AND CHARGES COLLECTED BY THE CITY OF JASPER, INDIANA, FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY, AND OTHER MATTERS CONNECTED THEREWITH"

This ordinance revises wastewater rates and charges effective with billings after July 1, 2017. First reading of the ordinance was held March 22, 2017.

A motion was made by Council member Earl Schmitt and seconded by Council member Dean Vonderheide to read the ordinance by title only on second reading. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member John Bell and seconded by Council member Nancy Eckerle to approve the ordinance on second reading. Motion carried 7-0.

A motion was made by Council member David Hurst and seconded by Council member Earl Schmitt to read the ordinance by title only on third and final reading. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member John Schroeder and seconded by Council member John Bell to pass and adopt Ordinance No. 2017-4 on third and final reading. Motion carried 7-0.

JCAC BOARD APPOINTMENT

Jasper Community Arts Commission [JCAC] member Kyle Rupert resigned from that board since he was appointed the Arts Director effective May 1, 2017. Rupert was appointed by the council; therefore, the council will need to appoint someone to fill the remainder of his term that expires December 31, 2018.

A motion was made by Council member Kevin Manley and seconded by Council member John Schroeder to appoint Kent Reyling to serve the remainder of Kyle Rupert's term as a member of the Jasper Community Arts Commission. Motion carried 7-0.

UTILITY SERVICE BOARD REPORT

General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on April 17, 2017. A copy of the Utility Service Board minutes is supplied to each council member.

21ST CENTURY UTILITY PLAN

During the Utility Service Board [USB] report, Hauersperger commented on the lengthy discussion the USB had and the action they took regarding the 21st Century Utility plan study that would evaluate current utility practices and utility development and planning. The USB agreed to pay 35% of the estimated \$50,000 consultant fee but not to exceed \$17,500.

Council member Kevin Manley asked what was in the scope of services. City Attorney Renee Kabrick said it has been nine months since the first scope proposal was presented. She said she will reach out to Umbaugh and to Barnes and Thornburg for a revised scope and will forward that information to the council members and to the USB members and she will get an updated proposal. Manley asked the mayor what the study will do for our citizens. Mayor Seitz said the study would help determine how the utilities can approach areas where there is competition between utilities, such as with the City of Huntingburg gas utility that serves parts of Jasper's west side. Seitz also said the utilities have been seen as independent from the city, but that he and some council members see the utilities as a city entity and therefore should be leveraged for the betterment of the city. Manley said if another purpose of the study is to find ways for utilities to help fund the General Fund, then we will have to increase utility rates. Seitz responded by saying we have created a void and this could be an answer to that void. Council member John Bell said there are a lot of questions we cannot answer and we need to figure out with the help of outside consultants what to do in competitive situations. Bell said in his opinion the original scope of the study is too large and costly. Because of the wastewater rate study and the electric cost of service study being performed, he thinks there should be a smaller scope for a lower price.

Council member Nancy Eckerle said she hopes an internal committee including department heads can be created to work on the study. Manley suggested having three USB members and three council members discuss the matter and move forward from there. Kabrick said it is not for us to create the scope of services. Seitz said we need to have conversation about the scope of services.

Before the meeting adjourned, Council members Kevin Manley, David Hurst, and John Schroeder volunteered to serve on the committee to look at the scope of the project.

REVIEW TAX ABATEMENT COMPLIANCE FORM [CF-1/REAL PROPERTY]-3 PEPLS PROPERTIES LLC. AND REVIEW TAX ABATEMENT COMPLIANCE FORM [CF-1/PP]-CASH WAGGNER & ASSOCIATES P.C.

Copies of the Compliance with Statement of Benefits form for real property tax abatement [Form CF-1/real property] for 3 PEPLS Properties LLC and the Compliance with Statement of Benefits form for personal property tax abatement [Form CF-1/PP] for Cash Waggoner and Associates P.C. for 2017 pay 2018 were previously distributed to the council members for their review.

Nathan Waggner, president of Cash Waggner & Associates P.C. and 3 PEPLS Properties LLC, was present.

A motion was made by Council member Kevin Manley and seconded by Council member David Hurst to find that Cash Waggner and Associates P.C. is in substantial compliance with its statement of benefits for personal property [CF-1/PP] and that 3 PEPLS Properties LLC is in substantial compliance with its statement of benefits for real property [CF-1/real property]. Motion carried 7-0.

REVIEW TAX ABATEMENT COMPLIANCE FORMS [CF-1]-JASPER ENGINE EXCHANGE INC.

Copies of the Compliance with Statement of Benefits Form for real property and for personal property for 2017 pay 2018 from Jasper Engine Exchange Inc for the 1220 Power Drive location were previously distributed to the council members for their review.

Ralph Schwenk representing Jasper Engine Exchange Inc was present. The estimated project completion date is December 31, 2017. The form shows they hired 172 additional employees and had estimated an additional 100 employees.

Thereafter, a motion was made by Council member Nancy Eckerle and seconded by Council member John Schroeder to find that Jasper Engine Exchange Inc is in substantial compliance with its statement of benefits for personal property and for real property [CF-1/PP and CF-1/real property]. Motion carried 7-0.

REVIEW TAX ABATEMENT COMPLIANCE FORMS [CF-1]-JASPER CHAIR COMPANY INC.

Copies of the Compliance with Statement of Benefits Form for real property tax abatement [Form CF-1/real property] and for personal property tax abatement [Form CF-1/PP] for Jasper Chair Company Inc for 2017 pay 2018 were previously distributed to the council members for their review.

Jeff Barth, president of Jasper Chair Company Inc, was present. The project completion date was in 2014. They have exceeded their project cost estimates and have hired the three additional employees that were projected.

A motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to find that Jasper Chair Company Inc is in substantial compliance with its statement of benefits for personal property and for real property [CF-1/PP and CF-1/real property]. Motion carried 7-0.

RESOLUTION NO. 2017- 6 RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER APPROVING THE TRANSFER OF PROPERTY OWNERSHIP WITHIN AN ECONOMIC REVITALIZATION AREA

This resolution transfers two parcels of real property at 30th and Mill Streets from Braun Family Properties LLC to Transit Properties LLC RE: tax abatement.

A motion was made by Council member Earl Schmitt and seconded by Council member John Schroeder to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Dean Vonderheide and seconded by Council member John Bell to read the resolution by title only. Motion carried 7-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member John Schroeder and seconded by Council member Nancy Eckerle to pass and adopt Resolution No. 2017-6. Motion carried 7-0.

REVIEW TAX ABATEMENT COMPLIANCE FORM [CF-1/PP]-MEYER DISTRIBUTING INC. AND REVIEW TAX ABATEMENT COMPLIANCE FORM [CF-1/REAL PROPERTY]-BRAUN FAMILY PROPERTIES LLC

Copies of the Compliance with Statement of Benefits Form for personal property for 2017 pay 2018 from Meyer Distributing Inc and copies of the Compliance with Statement of Benefits Form for real property for 2017 pay 2018 from Braun Family Properties LLC for property located along 25th Street and Cathy Lane were previously submitted to the council members for their review.

Gary Brick who works for a CPA firm that has Mike Braun for a client, and Greg Hochgesang, a controller for Meyer Distributing Inc, and Kristin Braun were present.

A motion was made by Council member John Schroeder and seconded by Council member John Bell to find that Meyer Distributing Inc is in substantial compliance with its statement of benefits for personal property [CF-1/PP] and Braun Family Properties LLC is in substantial compliance with its statement of benefits for real property [CF-1/real property]. Motion carried 7-0.

REVIEW TAX ABATEMENT COMPLIANCE FORM [CF-1/PP]-MEYER DISTRIBUTING INC. AND REVIEW TAX ABATEMENT COMPLIANCE FORM [CF-1/REAL PROPERTY]-BRAUN FAMILY PROPERTIES LLC

Copies of the Compliance with Statement of Benefits Form for personal property for 2017 pay 2018 from Meyer Distributing Inc and copies of the Compliance with Statement of Benefits Form for real property for 2017 pay 2018 that was approved for Braun Family Properties LLC [transferred to Transit Properties LLC] for property located at 30th and Mill Streets and at 1108 E 15th Street were previously submitted to the council members for their review.

Gary Brick who works for a CPA firm that has Mike Braun for a client, and Greg Hochgesang, a controller for Meyer Distributing Inc, and Kristin Braun were present.

A motion was made by Council member Nancy Eckerle and seconded by Council member Earl Schmitt to find that Meyer Distributing Inc is in substantial compliance with its statement of benefits for personal property [CF-1/PP] and Braun Family Properties LLC [transferred to Transit Properties LLC] is in substantial compliance with its statement of benefits for real property [CF-1/real property]. Motion carried 7-0.

REZONING PROPOSAL/ORDINANCE NO. 2017-8

Because Council member John Schroeder is an officer with German American Bancorp, Schroeder recused himself from this item of business and stepped away from the floor before the item was brought before the council.

Mayor Seitz said the council needs to consider the proposal from German American Bancorp to rezone 7.403 acres of vacant land located south of 12th Avenue and west of Kimball Blvd from I-2 heavy industrial to I-1 light industrial

A notice of intent to consider this proposal was faxed to the news media and was posted at city hall. The Plan Commission gave a favorable recommendation regarding the rezoning proposal.

Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to accept the proposal to rezone the property and adopt the rezoning ordinance for such property. Motion carried 6-0.

The ordinance was referenced as Ordinance No. 2017-8.

ORDINANCE NO. 2017-9 AN ORDINANCE AMENDING ORDINANCE NO. 2016-23, ENTITLED “AN ORDINANCE AFFIXING SALARIES AND WAGES FOR THE ELECTED OFFICIALS AND THE CIVIL CITY EMPLOYEES OF THE CITY OF JASPER, INDIANA, FOR THE YEAR 2017”

This ordinance adds the Assistant Arts Director position and rate of pay to the civil city 2017 salary ordinance.

A motion was made by Council member Nancy Eckerle and seconded by Council member Earl Schmitt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member David Hurst and seconded by Council member Nancy Eckerle to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2017-9. Motion carried 7-0.

2016 RDC REPORT

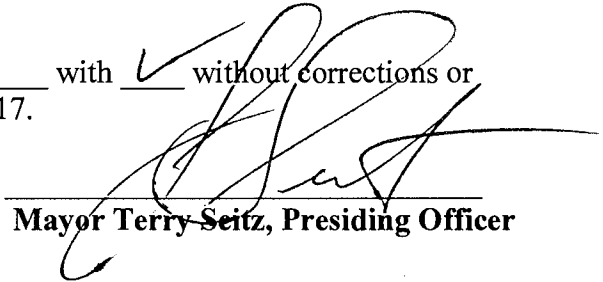
Indiana code states that not later than April 15 of each year, the redevelopment commissioners shall file with the unit's fiscal body a report setting out their activities during the preceding calendar year.

The Redevelopment Commission approved its 2016 activity report at its meeting on April 4, 2017. Clerk-Treasurer Juanita Boehm said the planning department then emailed the report to the council members on April 5, 2017.

A motion was made by Council member John Bell and seconded by Council member Earl Schmitt to acknowledge receipt of the 2016 annual activity report from the redevelopment commission. Motion carried 7-0.

Adjournment. There being no further business to come before the board, a motion was made by Council member Earl Schmitt and seconded by Council member John Bell to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:12 p.m.

The minutes were hereby approved _____ with ✓ without corrections or clarification this 17th day of May, 2017.



Mayor Terry Seitz, Presiding Officer

Attest: 

Juanita S. Boehm, Clerk-Treasurer